



Sheppard, Mullin, Richter & Hampton LLP
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
415.434.9100 main
415.434.3947 fax
www.sheppardmullin.com

415.774.2914 direct
dballard@sheppardmullin.com

September 10, 2020

File Number: 48KZ-266044

**BUSINESS CONFIDENTIAL
VIA EMAIL**

Christopher Massaroni
Hodgson Russ LLP
677 Broadway, Suite 301
Albany, NY 12207
(518) 465-2333
cmassaroni@hodgsonruss.com

Re: *In re Dealer Management Systems Antitrust Litig.*, No. 1:18-cv-000864 (N.D. Ill.)

Dear Mr. Massaroni:

Your September 9, 2020 letter to the court includes some misrepresentations. Specifically, Reynolds provided you with notice and copies of the relevant FTC CID and State AG subpoenas, and Auto/Mate consented to the reproduction of its documents and witness testimony from the pending antitrust litigation to the FTC and State AGs.

On May 9, 2019, Reynolds notified you via e-mail that the FTC and six State AGs requested documents and testimony produced by Auto/Mate in this litigation. On May 10, 2019, we provided clarification regarding the requests and copies of the FTC's CID and State AG subpoenas. You then spoke with Mr. Michael P. A. Cohen, counsel for Reynolds, regarding your concerns. During your conversation with him, you indicated that you had no objections to Reynolds producing Auto/Mate's materials to the FTC and State AGs subject to their respective confidentiality rules and statutes. Reynolds subsequently produced Auto/Mate's materials to these agencies subject to their respective confidentiality rules and statutes. Reynolds is not aware of Auto/Mate taking any action seeking protection from these productions.

Reynolds has fully complied with its obligations under the Confidentiality Order in this litigation. Reynolds therefore asks that you correct your misrepresentations to the Court and withdraw any "motion" with respect to Reynolds. Thank you.

Best regards,

A handwritten signature in blue ink, appearing to read "D. Ballard".

Dylan I. Ballard
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
Attorney for The Reynolds and Reynolds Company

SMRH:4849-7398-7018.1





Christopher Massaroni
September 10, 2020
Page 2

cc: Leo D. Caseria (Sheppard Mullin LLP)
Aundrea K. Gulley (Gibbs & Bruns LLP)
Brian Ross (Gibbs & Bruns LLP)
Britt M. Miller (Mayer Brown LLP)
Matthew D. Provance (Mayer Brown LLP)
Daniel Dorris (Kellogg, Hansen, Todd, Figel & Frederick PLLC)